

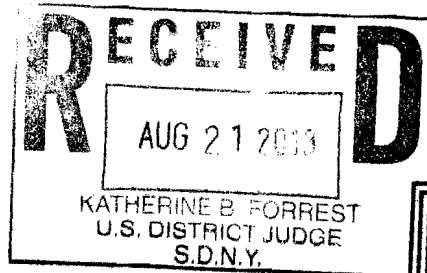
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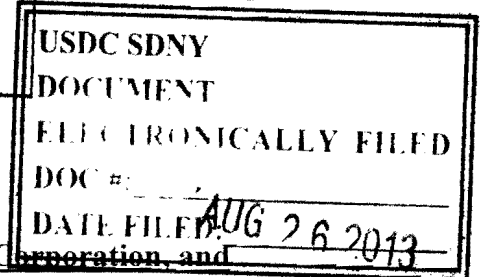
August 20, 2013

Honorable Katherine B. Forrest
 United States District Judge
 Southern District of New York
 500 Pearl Street, Room 730
 New York, NY 10007



George W. Shuster Jr.

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Re: Smartmatic USA Corporation, Smartmatic International Corporation, and Smartmatic Services Corporation v. Dominion Voting Systems Corporation and Dominion Voting Systems, Inc., No. 13-cv-05349-KBF

Dear Judge Forrest:

This firm represents the defendants, Dominion Voting Systems Corporation and Dominion Voting Systems, Inc. (collectively, "Dominion"), in the above-referenced matter. Pursuant to the Court's Order, dated August 14, 2013, the Court has scheduled an initial pretrial conference for October 11, 2013 at 3:30 p.m. Dominion respectfully requests an adjournment of the pretrial conference to October 22, 23, or 24, 2013, if any of these dates is convenient for the Court.

In accordance with Section I.G of Your Honor's Individual Practices in Civil Cases, Dominion provides the following information:

- a. **Original date.** October 11, 2013.
- b. **Proposed date.** October 22, 23, or 24, 2013.
- c. **Number of previous requests.** Dominion has previously requested an extension of its deadline to answer or otherwise respond to the complaint from August 7, 2013 to August 16, 2013. Dominion responded by August 16. Dominion has not previously requested the adjournment of any hearing.
- d. **Whether previous requests granted or denied.** Dominion's previous request was granted.
- e. **Whether the adversary consents.** The plaintiffs have agreed to an adjournment of the pretrial hearing to October 22, 23, or 24, 2013.
- f. **Explanation of appropriateness.** The Annual Conference of the International Bar Association ("IBA") will be held in Boston, Massachusetts during the week of October 7, with the closing ceremony to be held on October 11, the current date of the pretrial conference. My

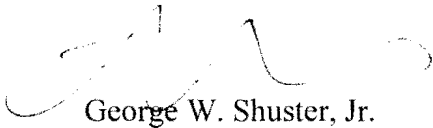
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partner, Richard Johnston, who is expected to appear in this action pro hac vice and to be lead trial counsel if it goes forward, is the Chairperson of the Boston Host Committee for the IBA and would appreciate an adjournment of the pretrial conference for the purpose of attending the closing ceremony of the Annual Conference. The short adjournment (less than two weeks) is appropriate based on the plaintiffs' consent and because it would not appear to delay the Court's adjudication of this action.

Based on the foregoing, Dominion respectfully requests that the Court adjourn the pretrial conference in this case to October 22, 23, or 24, 2013. However, if the requested adjournment would be inconvenient for the Court, Mr. Johnston will attend the initial pretrial conference as scheduled.

Sincerely,



George W. Shuster, Jr.

cc: Ira S. Greene (by email)
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